IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal No. 546 of 2005
In
Arbitration Petition No. 122 of 2004

Mohanraj Thatipally .. Appellant
V/s.
Sr. Regional Manager (Retail) .. Respondent

Mr. M.U. Pandey for the Appellant
Mr. M.D. Siodia with Ms. D.S. Retiwalla i/b. M/s. Rustomjee & Ginwala for the Respondent

CORAM : DR. S. RADHAKRISHNAN &
S.C. DHARMADHIKARI, JJ.
DATED : 16.08.2005.

P.C.:-

1. Heard the learned counsel for the Appellant and the Respondent. By this Appeal, the Appellant is challenging the order dated 12.7.2004 passed by the learned Single Judge. The learned Single Judge has declined to interfere with the Award passed by the learned Arbitrator under Section 34 of the Arbitration Act.

2. We have perused both the Award as well as the show cause notice. Based upon sufficient evidence, the learned Arbitrator has passed the impugned Award. Over and above, the learned Single Judge has observed that the Agricultural Produce Market Committee has already terminated the lease in favour of the Appellant and has granted it in favour of the Respondent. We do not find anything illegal or perverse to interfere with the order of the learned Single Judge. Appeal stands dismissed.

(DR. S. RADHAKRISHNAN, J.)

(S.C. DHARMADHIKARI, J.)